

Amendments to S. 1892

Title I. The Valles Caldera Preservation Act.

1. On page 6, line 13, strike “means” and insert “has”.
2. On page 10, lines 6 and 7, strike “Lower Alamo watershed” and insert “the upper watersheds of Alamo, Capulin, Medio, and Sanchez Canyons, including the areas known as the Dome Diversity Unit and the Dome Wilderness”.
3. On page 11, line 1, strike “their” and insert “its”.
4. On page 11, strike all on line 13 and thereafter through the end of line 22, and insert:

“(g) PUEBLO OF SANTA CLARA.—

“(1) IN GENERAL.—The Secretary may assign to the Pueblo of Santa Clara rights to acquire for fair market value portions of the Baca ranch. The portion that may be assigned shall be determined by mutual agreement between the Pueblo and the Secretary based on optimal management considerations for the Preserve including manageable land line locations, public access, and retention of scenic and natural values. All appraisals shall be done in conformity with the Uniform Appraisal Standards for Federal Land Acquisition.

“(2) STATUS OF LAND ACQUIRED.—As of the date of acquisition, the fee title lands, and any mineral estate underlying such lands, acquired under this subsection by the Pueblo of Santa Clara are deemed transferred into trust in the name of the United States for the benefit of the Pueblo of Santa Clara and such lands and mineral estate are declared to be part of the existing Santa Clara Indian Reservation.

“(3) MINERAL ESTATE.—Any mineral estate acquired by the United States pursuant to section 104(e) underlying fee title lands acquired by the Pueblo of Santa Clara shall not be developed without the consent of the Secretary of the Interior and the Pueblo of Santa Clara.

“(4) SAVINGS.—Any reservations, easements, and covenants contained in an assignment agreement entered into under paragraph (1) shall not be affected by the acquisition of the Baca ranch by the United States, the assumption of management by the Valles Caldera Trust, or the lands acquired by the Pueblo being taken into trust.”.
5. On page 12, lines 5 and 6, strike “by the Secretary of the Interior under section 104(b)” and insert “or held in trust by the Secretary of the Interior under sections 104(b) and 104(g)”.
6. On page 12, line 9, after “preserve the” insert “scientific,”.

7. On page 13, after line 23, insert the following new subsection:
 “(g) REDONDO PEAK.—
 “(1) IN GENERAL.—For the purposes of preserving the natural, cultural, religious, and historic resources on Redondo Peak upon acquisition of the Baca ranch under section 104(a), except as provided in paragraph (2), within the area of Redondo Peak above 10,000 feet in elevation—
 “(A) no roads, structures, or facilities shall be constructed; and
 “(B) no motorized access shall be allowed.
 “(2) EXCEPTIONS.—Nothing in this subsection shall preclude—
 “(A) the use and maintenance of roads and trails existing as of the date of enactment of this Act;
 “(B) the construction, use and maintenance of new trails, and the relocation of existing roads, if located to avoid Native American religious and cultural sites; and
 “(C) motorized access necessary to administer the area by the Trust and the Secretary (including measures required in emergencies involving the health or safety of persons within the area).”.
8. On page 15, line 11, strike “paid the” and insert “payable to the”.
9. On page 20, after line 5, insert the following new subsection:
 “(m) NAME AND INSIGNIA.—The Trust shall have the sole and exclusive right to use the words ‘Valles Caldera Trust’, and any seal, emblem, or other insignia adopted by the Board of Trustees. Without express written authority of the Trust, no person may use the words ‘Valles Caldera Trust’ as the name under which that person shall do or purport to do business, for the purpose of trade, or by way of advertisement, or in any manner that may falsely suggest any connection with the Trust.”.
10. On page 27, line 23, after “preservation of the” insert “scientific,”.
11. On page 28, line 20, strike “diminish”.
12. On page 31, line 20, strike “At the request” and insert “The Trust shall be deemed a Federal agency for purposes of the law enforcement authorities of the Secretary (16 U.S.C. 559g). At the request”.
13. On page 33, line 18, strike “under” and insert “in accordance with”.
14. On page 33, line 22, strike “108:” and insert “108. The Secretary may enter into any agreement, lease, contract, or other arrangement on the same basis as the Trust under section 108(c)(1):”, and on line 24, strike “under section 108(c)(1)”.

Title II. The Federal Land Transaction Facilitation Act.

15. On page 41, strike all on line 12 and thereafter through the end of line 18, and insert:

“(1) EXCEPTIONAL RESOURCE.—The term ‘exceptional resource’ means a resource of scientific, natural, historic, cultural, or recreational value that has been documented by a Federal, State, or local governmental authority, and for which there is a compelling need for conservation and protection under the jurisdiction of a Federal agency in order to maintain the resource for the benefit of the public.”
16. On page 41, line 22, after “section 103”, insert “(o)”.
17. On page 42, lines 4 and 5, strike “national volcanic area”, and lines 8 and 9, strike “or under the National Forest System”.
18. On page 42, beginning on line 12, strike “or” and all that follows through the end of line 19, and insert:

“(D) an area of the National Forest System designated for special management by an Act of Congress; or
 “(E) an area within which the Secretary or the Secretary of Agriculture is otherwise authorized by law to acquire lands or interests therein that is designated as—
 “(i) wilderness under the Wilderness Act (16 U.S.C. 1131 et seq.);
 “(ii) a wilderness study area;
 “(iii) a component of the Wild and Scenic Rivers System under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.); or
 “(iv) a component of the National Trails System under the National Trails System Act (16 U.S.C. 1241 et seq.).”
19. On page 43, beginning on line 6, amend section 204(a) and 204(b) to read as follows:

“(a) IN GENERAL.—The Secretary and the Secretary of Agriculture shall establish a procedure to—
 “(1) identify, by State, inholdings for which the landowner has indicated a desire to sell the land or interest therein to the United States; and
 “(2) prioritize the acquisition of inholdings in accordance with section 206(c)(3).
 “(b) PUBLIC NOTICE.—As soon as practicable after the date of enactment of this title and periodically thereafter, the Secretary and the Secretary of Agriculture shall provide public notice of the procedures referred to in subsection (a), including any information necessary for the consideration of an inholding under section 206. Such notice shall include publication in the Federal Register and by such other means as the Secretary and the Secretary of Agriculture

determine to be appropriate.”.

20. On page 46, beginning on line 11, amend subparagraph (A) to read as follows:

“(A) PURCHASE OF LAND.—Except as authorized under subparagraph (C), funds shall be used to purchase lands or interests therein that are otherwise authorized by law to be acquired, and that are—

 - (i) inholdings; or
 - (ii) adjacent to federally designated areas and contain exceptional resources.”.
21. On page 46, line 24, strike “funds in” and insert “funds deposited in”.
22. On page 46, line 25, strike “shall” and insert “may”.
23. On page 47, beginning on line 10, amend paragraph (3) to read as follows:

“(3) PRIORITY.—The Secretary and the Secretary of Agriculture shall develop a procedure for prioritizing the acquisition of inholdings and non-Federal lands with exceptional resources as provided in paragraph (2). Such procedure shall consider—

 - “(A) the date the inholding was established (as provided in section 204(c));
 - “(B) the extent to which acquisition of the land or interest therein will facilitate management efficiency; and
 - “(C) such other criteria as the Secretary and the Secretary of Agriculture deem appropriate.”.
24. On page 47, line 18, strike “acquisition of land” and insert “land acquired”.
25. On page 47, line 25, strike “and”.
26. On page 48, line 4, strike “Acquisitions.”, insert “Acquisitions; and”, and insert the following subparagraph:

“(D) managed as part of the unit within which it is contained.”.
27. On page 48, line 20, strike “section 5” and insert “section 205”.